

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION

Stephonie Broughton and
Kimberly Anderson,

Plaintiffs,

VS.

Estate of Reuben Joshua Davis,
deceased,

Defendant.

COMPLAINT – WRONGFUL DEATH

Civil No.

Plaintiffs, for their claim against Defendant, allege as follows:

JURISDICTION - DIVERSITY

1.

Plaintiffs are both citizens of the state of North Dakota. On September 25, 2019, the date of the accident referred to hereafter, Reuben Joshua Davis was a citizen of the state of North Carolina. The amount in controversy, without interest and costs, exceeds the sum of \$75,000.00. This court has jurisdiction pursuant to 28 U.S.C. §1332.

11.

On September 25, 2019, Reuben Joshua Davis was proceeding easterly on Highway 52, between Sawyer and Velva, North Dakota. At that time, he negligently, and recklessly, crossed the centerline, into the westbound lane, and collided with a vehicle driven by Kristina Kraft.

III.

As a proximate result of the negligence and recklessness of Reuben Joshua Davis, which caused the accident of September 25, 2019, Kristina Kraft died from injuries suffered in the accident.

IV.

Reuben Joshua Davis passed away on November 14, 2019. His estate is presently being probated in Lenoir County, North Carolina.

V.

This is an action to recover damages for the wrongful death of Kristina Kraft. This action is brought pursuant to N.D.C.C. Chapter 32-21, death by wrongful act.

VI.

As the direct and proximate result of the negligence and recklessness of Reuben Joshua Davis, Plaintiffs have sustained injuries and damages, both economic and non-economic. Plaintiffs have sustained mental and emotional anguish as a result of their mother's death and have been denied, and will continue to be denied, the society, comfort, counsel, and companionship, of Kristina Kraft.

WHEREFORE, Plaintiffs seek judgment against Defendant as follows:

1. For economic damages, to be proven at trial;
2. For non-economic damages, in reasonable sum, but not less than \$75,000;
3. For such other relief as the court deems just and appropriate.

Dated this 28th day of January, 2020.

PRINGLE & HERIGSTAD, P.C.

BY /s/ Jim Nostdahl.
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DEMAND FOR JURY TRIAL

Plaintiffs hereby makes a demand for trial by jury upon all issues.

Dated at Minot, North Dakota, this 28th day of January, 2020.

PRINGLE & HERIGSTAD, P.C.

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